



STATE OF MICHIGAN
IN THE 7th CIRCUIT COURT
FOR GENESEE COUNTY

MEGAN SMITH , et al. ,

on behalf of themselves and
all others similarly situated,

Plaintiffs,

v.

Case No. 11-097052-CZ
Hon. Geoffrey L. Neithercut

MAURA CORRIGAN,
in her official capacity as Director,
Michigan Department of Human Services,

Defendant.

Jacqueline Doig (P37105)
Terri L. Stangl (P35257)
CENTER FOR CIVIL JUSTICE
320 S Washington, 2nd Floor
Saginaw, MI 48607
(989) 755-3120
Attorneys for Plaintiffs

Joseph Potchen (P49501)
William R. Morris (P31957)
Kristin Heyse (P64353)
Assistant Attorneys General
PO Box 30758
Lansing, MI 48909
(517) 373-7700
Attorneys for Defendant

Stipulation and Order Regarding Notice to Class

Stipulation

The parties, through counsel, stipulate as follows:

1. The April 10, 2012 Order Entering Judgment, Specifying Relief, and Requiring Notice to the Class requires Defendant to provide Notice to the Class under MCR 3.501.

2. MCR 3.501(C)(3) requires the Court to determine the content of the notice and how, when, and to whom the notice will be provided, as well as to whom any responses to the notice should be sent.

3. Exhibit "A" to the Stipulation and Order contains the content required in a class notice under MCR 3.501(C)(5).

4. On or before April 23, 2012, Defendant issued an Interim Policy Bulletin intended to ensure all Department of Human Services staff comply with the injunction entered by the Court in this case. Therefore, the class defined by the Court as:

all current and future FIP recipients who have been or will be denied or terminated from FIP assistance based on a 60 month time limit when they have not received FIP for 48 countable months under the Social Welfare Act

to whom notice must be sent should include only individuals to whom Defendant sent a notice of termination of FIP based on the 60 month time limit prior to April 27, 2012.

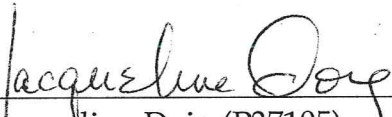
5. Defendant and the Department of Human Services, at its sole expense, must


- a. Mail individual notices to each class member in the form attached hereto as Exhibit A, which will be sent with the DHS notice attached as Exhibit C and referenced in Exhibit A.
- b. Post a copy of Exhibit A in every Department of Human Services waiting room within 7 days of the date of this order and continuing until 90 days after the Order is entered.

- c. Distribute copies of the Notice to all Community Action Agencies and Michigan Works Agencies in Michigan within 7 days of the of this order, with a request that they post the information in their reception and waiting areas until 90 days after the date of this order.
- d. Publish the Notice in the newspapers listed in Exhibit B to this order within 10 days of the entry of the Order.

6. Within two days of the date of this Order, Defendant's Department of Human Services and the Center for Civil Justice must post the Notice on their respective websites in an easily accessible and prominent location, and maintain such postings until 90 days after this order is entered.

Dated: April 25, 2012


Jacqueline Doig (P37105)
CENTER FOR CIVIL JUSTICE
320 S Washington, 2nd Floor
Saginaw, MI 48607
(989) 755-3120
Attorney for Plaintiffs

 *rd by permission*
Joseph Potchen (P49501)
William R. Morris (P31957)
Kristin Heyse (P64353)
Assistant Attorneys General
PO Box 30758
Lansing, MI 48909
(517) 373-7700
Attorneys for Defendant

Order

The foregoing having been read and considered, the Court is satisfied that notice as set forth above is reasonable and satisfies the requirements of MCR 3.501(C).

Therefore, it is SO ORDERED this 25 day of April, 2012.

GEOFFREY L. NEITHERCUT
P-25466
GEOFFREY L. NEITHERCUT
Circuit Judge

NOTICE TO PEOPLE CUT OFF FIP CASH ASSISTANCE BECAUSE OF THE 60 MONTH TIME LIMIT POLICY – YOU MAY BE AFFECTED BY A LAWSUIT

What is the lawsuit about?

Families who filed the lawsuit asked the Court to (1) say that the 60 month lifetime limit on FIP was not valid, and (2) stop the Michigan Department of Human Services (DHS) from closing FIP cases based on the 60 month time limit policy. The case is a class action that affects anyone in “the class”.

What did the Court decide?

The Court said DHS could not use the 60 month policy to cut off FIP benefits. DHS has appealed.

Does this case affect me? (Am I in “the class” of people affected by the lawsuit?)

- If you got this notice by mail, you are in “the class”.
- Even if you did not get this by mail, the lawsuit may affect you if your FIP stopped because of the 60 month limit.

Will there still be time limits on FIP cash assistance?

Yes, there will still be a 48 month time limit that counts months you were on FIP starting in October 2007. Some months on FIP are NOT counted toward the 48 month limit, even if they are after September 2007.

How do I know which limit DHS used when it closed my FIP case?

DHS sent you a notice when it closed your FIP case. That notice says which time limit was used to close your case (48 or 60 months). You can quickly find this information if you log onto www.mibridges.michigan.gov/access under correspondence or ask your caseworker if you cannot find your notice.

What might I be eligible for under the lawsuit if I am in the class?

If you reapply for FIP by June 11, 2012 using the enclosed stickered application, DHS will determine eligibility for FIP benefits back to March 28, 2012. If eligible, your payments will begin as of the second pay period in March.

Do I have to do anything to get my FIP back under the lawsuit?

- If you got this in the mail, there is another notice in the envelope that says how to reapply for FIP.
- If you did not get this in the mail but think you are in the class, call your local DHS office.

Who can answer my questions about reapplying?

Call your DHS caseworker or the DHS Customer Service Unit at 855-275-6424.

Who can answer my questions about the lawsuit?

Call the attorney for the class whose contact information is below.

Your rights as a class member:

The judgment, whether favorable or not, will bind all members of the class who are not excluded from the action. You have the right to be excluded from the action by submitting an election to be excluded, which must be filed with the Court by June 11, 2012 and sent to the attorneys listed below. Any member of the class may also intervene in the action.

Case information: Megan Smith, et al v. Maura Corrigan, Case No. 11-097052-CZ, Genesee County Circuit Court 900 Saginaw St. Flint, MI 48502

Attorney for the Class: Center for Civil Justice, 320 S. Washington, 2nd Floor, Saginaw, MI 48607, www.ccj-mi.org, (800) 724-7441 or (989) 755-3120

Attorney for Defendants: Joseph Potchen, Assistant Attorney General, PO Box 30758, Lansing, MI 48909

Representatives for the Class: Megan Smith, Nicole Kelly, Roshawnda Williams and Nicole Johnson and their children. Address: c/o Center for Civil Justice, 320 S. Washington, 2nd Floor, Saginaw, MI 48607

EXHIBIT A

NEWSPAPERS

Ann Arbor News

Flint Journal

Muskegon Chronicle

Marquette Mining Journal

Bay City Times

Kalamazoo Gazette

Jackson Citizen Patriot

Saginaw News

Grand Rapids Press

Lansing State Journal

Detroit News Agency

Grand Traverse Record Eagle



STATE OF MICHIGAN

DEPARTMENT OF HUMAN SERVICES
LANSING

RICK SNYDER
GOVERNOR

MAURA D. CORRIGAN
DIRECTOR

NOTICE REGARDING ABOUT FIP/CASH ASSISTANCE TIME LIMIT LAWSUIT

Due Date: No later than June 11, 2012.

Why am I getting this notice?

The Department of Human Services (DHS) stopped your FIP cash assistance based on a Federal **60 month** lifetime limit. A court ruled DHS cannot use that time limit. You can still lose benefits if you reach a different **48 month** lifetime limit.

Because of the court decision, you may be eligible for FIP Cash Assistance as of March 28, 2012.

How can I get FIP Cash Assistance back?

Reapply for FIP Cash Assistance Benefits.

- You can fill out the paper application enclosed with this letter and return it by mail or take it to your local DHS office. The enclosed application has a sticker. If you use this application, DHS will process it quickly **and will determine eligibility back to March 28, 2012.**
- If you do **not** want DHS to determine eligibility back to March 28, 2012, you can apply online at <https://www.mibridges.michigan.gov/access> or use a standard paper application without a sticker. Online applications and any application without a sticker will be handled in the order they are received.
- **If you lose the application with a sticker and want DHS to determine eligibility back to March 28, 2012,** you can use a standard paper application and write "LOST STICKER" in all capital letters on the top of the application.

Is there a deadline?

If you reapply by **June 11, 2012** using the stickered application enclosed with this notice, DHS will determine your eligibility back to March 28, 2012. If eligible, your payments will begin as of the second pay period in March. Mailed applications must be post marked by June 11, 2012.

If you do not apply by June 11, 2012 or do not use the stickered application, you could still be eligible for FIP, but you will not receive FIP prior to the date of your application.

Do I Have to Re-Apply?

You do **not** have to re-apply if you do **not** want FIP Cash Assistance at this time.

Michigan still has a **48 month lifetime limit on FIP**. If you reapply and get FIP, your months on FIP will count toward the 48 month limit time **unless you are deferred from work requirements based on your age, disability, the disability of your spouse or child, or domestic violence**. Ask your caseworker if you are not sure whether you can be deferred. If you are not deferred, you can decide whether you want to use up more of your 48 months now or whether you want to wait and reapply later.

DHS has appealed the court decision. If DHS wins on appeal, DHS **might** be entitled to recoup FIP benefits paid because of the court decision.

EXHIBIT C